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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/777,735	02/06/2001	Edward E. Williams	GOEA 1803001	8711

32233 7590 09/04/2003  
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EXAMINER

FLORES SANCHEZ, OMAR

ART UNIT	PAPER NUMBER
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3724

DATE MAILED: 09/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/777,735

Applicant(s)

WILLIAMS, EDWARD E.

Examiner

Omar Flores-Sánchez

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election of Group I in Paper No. 6 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 5-10 and 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Osenbruggen.

Van Osenbruggen discloses the method for manufacturing a rotatable cutting blade including: selecting a cutting blade holder made of a first material (col.4, line 61-63) and having a plurality of cutting blade channels (Fig. 1), inserting a piece of a second material (Fig. 3 and col. 8, line 64-66), bonding each said piece of second material (col. 9, line 53-54), sharpening said pieces (col. <sup>19</sup>40-42), and brazing with a solder along substantially the entire length of said cutter blade channel (col. 9, line 38-39).

Art Unit: 3724

Claims 1-2, 4, 6, 9-10, 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Kubis.

Kubis discloses the method for manufacturing a rotatable cutting blade including: selecting a cutting blade holder made of a first material (col.1, line 6-9) and having a plurality of cutting blade channels (Fig. 1 and 3), inserting a piece of a second material (Fig. 2 and col. 1, line 6-9), and bonding each said piece of second material (col. 1, line 30-31).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Osenbruggen as applied to claims 1 and 9 above, and further in view of Satran et al.

Van Osenbruggen discloses the method for manufacturing a rotatable cutting blade substantially as claimed except for a material with a coefficient of thermal expansion less than 0.000007 inch/degree Fahrenheit. However, Satran teaches the use of a material with a coefficient of thermal expansion (col. 1, line 64) for the purpose of rigidly affixing two parts. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Van Osenbruggen's device by providing the material with the coefficient of thermal expansion as taught by Satran in order to obtain the insert rigidly affixed to the blade holder. Regarding ~~the~~ the limitation of less than 0.000007 inch/degree Fahrenheit, applicant

Art Unit: 3724

admits the materials having a coefficient of thermal expansion less than 0.000007 inch/degree Fahrenheit are old and well known in the art (see page 6, line 2-3).

6. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Osenbruggen as applied to claims 1 and 9 above, and further in view of Kubis.

Van Osenbruggen discloses the method for manufacturing a rotatable cutting blade substantially as claimed except for molding process. However, Kubis teaches the use of a molding process (see col. 4, line 11-13 and 15-17) for the purpose of obtaining a high level of dimensional accuracy. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Van Osenbruggen's device by providing the molding process as taught by Kubis in order to obtain a high level of dimensional accuracy for the blade holder.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kondo et al., Gunzner and Seyna et al. are cited to show related device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Flores-Sánchez whose telephone number is 703-308-0167. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on 703-308-1082. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 09/777,735

Page 5

Art Unit: 3724

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

Ofs

August 29, 2003



Allan N. Shoap  
Supervisory Patent Examiner  
Group 3700